

BUREAU OF AUTOMOTIVE REPAIR

ORDER OF ADOPTION

The Bureau of Automotive Repair hereby adopts the following regulations in Chapter 1 of Division 33 of Title 16 of the California Code of Regulations as follows:

Article 2. Licensing of Official Stations and Adjusters

1. *Section 3305 is amended to read as follows:*

§ 3305. ~~General Requirements for Official Stations~~ Station Performance, Work Area and Adjuster Required.

(a) ~~Performance Standards.~~ All adjusting, inspecting, servicing, and repairing of brake systems and lamp systems for the purpose of issuing any certificate of compliance or adjustment shall be performed in official stations, by official adjusters, in accordance with the following, in descending order of precedence, as applicable:

(1) Vehicle Manufacturers' current standards, specifications and recommended procedures, as published in the manufacturers' vehicle service and repair manuals.

(2) ~~e~~Current standards, specifications, instructions, and procedures, directives, manuals, bulletins and instructions issued by the bureau and by the manufacturer of the device or vehicle and equipment or device manufacturers.

(3) Standards, specifications and recommended procedures found in current industry-standard reference manuals and periodicals published by nationally recognized repair information providers.

(4) The bureau's *Handbook for Brake Adjusters and Stations*, February 2003, which is hereby incorporated by reference.

(5) The bureau's *Handbook for Lamp Adjusters and Stations*, February 2003, which is hereby incorporated by reference.

(b) ~~Work Area.~~ The specific activities for which an official station is licensed shall be performed only in an area of the station ~~which~~ that has been approved by the bureau. Other work may be performed in the approved area, as desired. The work area shall be within a building and shall be large enough to accommodate the motor vehicle being serviced. The

bureau may make an exception to the preceding requirement by approving a work area adjacent to a building for purposes of inspecting and adjusting equipment and devices on buses, trucks, truck tractors, trailers, and semitrailers. The work area shall be kept clean and orderly.

(c) ~~Licensed Adjuster Required.~~ The services of an officially licensed adjuster appropriate to each type and class of station license held shall be available at each official station, except a fleet owner station, not less than 40 hours weekly or not less than half of the hours the station is open for business weekly, whichever is less. Fleet owner stations are required to provide the services of a licensed adjuster only for certification procedures.

NOTE: Authority cited: Sections 9882, 9887.1 and 9888.2, Business and Professional Code. Reference: Sections 9888.2 and 9888.4, Business and Professions Code.

2. *Section 3306 is amended to read as follows:*

§ 3306. Licensing Official Stations; Inspection; Term, Renewal and Replacement of Station Licenses.

Official station licenses shall be issued and renewed in accordance with the following procedures:

(a) ~~Inspection of Station; Term of License.~~ ~~An inspection of the station facilities may be made by a representative of the bureau.~~ Licenses will be issued only for stations which meet after an on-site inspection of the station by a bureau representative confirms that the applicant meets the qualifications prescribed in these regulations. A station license shall expire one year from date of issue.

(b) ~~Late Renewal of License.~~ The late renewal fee shall be \$7.50 if the ~~renewal application is received by the bureau~~ receives the renewal application within 30 days after the date of expiration.

(c) ~~Replacement License.~~ In the event of a change of business name or address, of the licensee, shall submit to the bureau a *Change of Name/Address/Corporate Officers or Directors*, Form R-8 (Rev. 05/25/01), which is hereby incorporated by reference ~~a new application shall be submitted to the bureau.~~ In the event of a change of ownership of a licensed business, a new ~~application~~ *Application for Station License*, Form R-4 (Rev 11/05), which is hereby incorporated by reference, and a fee of \$10 shall be submitted to the bureau.

In determining whether a fee is required, the following shall apply:

(1) ~~Change of Ownership~~—“Change of ownership” means any change in legal ownership of the license or the licensed business, including the addition or the deletion of a partner, the transfer of any ownership interest between members of a family (such as by sale, gift, or the death of the legal owner or one of the owners), change of the business entity by incorporation of the business or a change in the corporate status that requires a new corporate number as issued by the Secretary of State.

(2) ~~Change of Address Defined~~—“Change of address” means any relocation of a licensed business not involving a change of ownership and any change in the mailing address, including a change resulting from street renumbering.

NOTE: Authority cited: Sections 9882 and 9887.1, Business and Professions Code. Reference: Sections 152.6, 163.5, 9887.1, 9887.2 and 9887.3, Business and Professions Code.

3. *Section 3307 is amended to read as follows:*

§ 3307. Display of Licenses and Posting of Prices; Equipment Maintenance; Records.

Official stations shall comply with the following provisions governing display of ~~documents~~ licenses, maintenance of equipment, and record keeping.

(a) ~~Display of Station License~~—An official station license shall be placed under glass or other transparent cover and prominently displayed in an area of the station frequented by customers.

(b) ~~Display of Adjusters' Licenses~~—Licenses of all official adjusters employed at a licensed station shall be mounted under glass or other transparent cover and prominently displayed in an area of the station frequented by customers.

(c) ~~Display of Station Sign~~—Each official station, except a fleet owner station, shall display an official station sign ~~which~~ that meets the specifications in section 3309, and the sign shall be displayed in a location where it is clearly visible to the general public from outside the station.

(d) ~~Posting of Prices~~—Each official station, except a fleet owner station, may make a reasonable charge for the work performed and shall post conspicuously, in an area frequented by customers, a list of prices ~~ranges~~ for the specific activities for which it is licensed. Prices may be stated either as a fixed fee or an hourly rate on a time-and-material basis. No added

charge shall be imposed for the issuance of official lamp adjustment or official brake adjustment certificates, or certifications on enforcement documents of the correction of lamp or brake violations. No charge relating to repair, replacement of parts, or adjustment of lamps or brakes shall be imposed in addition to the posted price for such adjustment or inspection unless such additional work and added charges are authorized in advance by the vehicle owner or operator.

(e) ~~Maintenance and Calibration of Equipment.~~—All adjusting, servicing, and testing instruments, machines, devices and equipment shall be maintained in good condition. Instruments, machines, devices and equipment requiring calibration or adjustment shall be calibrated or adjusted in accordance with the instructions of the manufacturers and the requirements of the bureau.

(f) ~~Records.~~—Each licensee shall make, keep, and have available for inspection upon request of the bureau, records showing ~~his~~ the transactions as a licensee for a period of not less than three (3) years after completion of any transaction to which the records refer, including, but not limited to, records of all lamp adjustment certificates and brake adjustment certificates issued by ~~such~~ the licensee.

NOTE: Authority cited: Sections 9882.2, Business and Professional Code. Reference: Sections 9884.11, 9888.2 and 9888.3, Business and Professional Code.

4. *Section 3308 is amended to read as follows:*

§ 3308. Official Station That Stops Operating As an Official Station.

An official station shall stop performing the functions for which it has been licensed when it no longer has the services of a licensed adjuster, or when its station license has expired or has been surrendered, suspended, or revoked. ~~Such~~ The station must dispose of materials related to its formerly licensed activity according to these provisions.

(a) ~~Loss of Services of Licensed Adjuster.~~—An official station that no longer has the services of a licensed adjuster shall immediately remove or cover the official station sign in accordance with ~~section 3308(b)~~ subsection (b) of this section. If ~~such~~ the station does not employ a licensed adjuster within 60 days, the station shall surrender its official station license to the bureau and shall return to the bureau all unused certificates of adjustments bought by the station to carry out the function for which it is no longer licensed.

~~(b) Removal of Sign.~~—An official station that is no longer authorized to perform the function for which it has been licensed shall remove or cover the sign pertaining to the licensed function. A station that has a multipurpose sign shall cover those portions of the sign that pertain to the functions for which it is no longer licensed.

~~(c) Return of Certificates.~~—When an official station license has expired or has been surrendered, suspended, or revoked, the station shall return to the bureau all unused certificates purchased by the station to carry out the function for which it is no longer licensed.

NOTE: Authority cited: Sections 9882, 9887.1 and 9888.2, Business and Professional Code. Reference: Sections 9887.1, 9888.2 and 9889.7, Business and Professional Code.

5. *Section 3309 is amended to read as follows:*

§ 3309. Official Station Signs.

Official station signs shall meet the specifications illustrated in this section and shall be displayed in accordance with subsection (c) of section 3307~~(e)~~ of this article. A station ~~which that~~ performs more than one official function may display a separate sign to designate each function or it may display one multipurpose sign appropriate to the official functions for which the station is licensed.

~~(a) Single Function Signs.~~—Official station signs displayed separately to designate each function for which the station is licensed shall meet the following specifications:

(1) ~~Dimensions.~~—Single function signs shall have the dimensions shown in Figure 1.

(2) ~~Color.~~—Single function signs shall be bordered and lettered in light chrome yellow; and the background shall be royal blue.

(3) ~~Lettering.~~—Single function signs shall have lettering dimensions shown in Figure 2.

~~(b) Multipurpose Signs.~~—Multipurpose station signs displayed to designate the functions for which the station is licensed shall meet the following specifications:

(1) ~~Dimensions.~~—Multipurpose signs shall have the overall dimensions, shield size, placement, and lettering size shown in Figures 3 and 4.

(2) ~~Color.~~—Multipurpose signs shall have lettering, shield border and station designation(s) in light chrome yellow; and the background shall be royal blue.

(3) ~~Station Type Designation.~~—The space to the right of the official station shield in a

multipurpose sign shall be used to designate the official functions of the station, and such designation shall meet the requirements of paragraph (1) of subsection (b) of this section 3309(b)(1) of this article.

NOTE: Authority cited: Sections 9882 and 9888.2, Business and Professions Code. Reference: Section 9888.2, Business and Professions Code.

6. *Section 3310 is amended to read as follows:*

§ 3310. Licensing Official Lamp and Brake Adjusters.

(a) ~~Class of Official Lamp Adjusters' Licenses.~~ There shall be one class of official lamp adjusters' license. Official lamp adjusters' licenses may be issued to persons who have shown by examination that they are qualified to test, inspect, adjust, and repair the lamps and related electrical systems on all vehicles.

(b) ~~Classes of Official Brake Adjusters' Licenses.~~ There shall be three classes of official brake adjusters' licenses:

(1) ~~Class A.~~ Class A official brake adjusters' licenses may be issued to persons who have shown by examination that they are qualified to test, inspect, adjust, and repair the brakes and brake system on all vehicles.

(2) ~~Class B.~~ Class B official brake adjusters' licenses may be issued to persons who have shown by examination that they are qualified to test, inspect, adjust, and repair all brakes and brake systems on all buses, trucks, and truck tractors, trailers, and semitrailers.

(3) ~~Class C.~~ Class C official brake adjusters' licenses may be issued to persons who have shown by examination that they are qualified to test, inspect adjust, and repair all brakes and brake systems on all trucks and truck tractors having a manufacturer's gross vehicle weight rating of less than 10,000 pounds and all trailers and semitrailers which do not use compressed air or vacuum to actuate the brakes, and all passenger vehicles including motorcycles and motor-driven cycles.

(c) ~~Application.~~ A person desiring to be licensed as an official adjuster shall submit a separate ~~application~~ Brake Adjuster or Lamp Adjuster Application form, Lic (Rev.8/00), which is hereby incorporated by reference, for each license or license class desired. A separate license shall be required for each ~~category~~ license type or license class.

(d) ~~Adjuster Fees.~~ Each application shall be accompanied by the fee prescribed in section

9887.2 of the Business and Professions Code, except that the late renewal fee shall be \$7.50 if the ~~renewal application is received by the bureau~~ receives the renewal application within 30 days after the date of expiration. An applicant who fails the examination may submit an application for another examination and in each such instance shall pay the prescribed application fee.

(e) ~~License Term.~~ Official adjusters' licenses shall expire four years from date of issue. When any person licensed as an adjuster ceases to be employed at an official station, the person's right to act as an official adjuster shall immediately cease. The person shall not engage in the activity of official adjuster until the person is again employed at an appropriate official station.

NOTE: Authority cited: Sections 9882, 9887.1, 9887.2 and 9888.2, Business and Professions Code.
Reference: Sections 163.5, 9887.1, 9887.2 and 9888.2, Business and Professions Code.

Article 3. Official Lamp Adjusting Stations

7. Section 3315 is amended to read as follows:

§ 3315. Classes of Official Lamp Adjusting Stations.

Classes of official lamp adjusting stations are established as follows:

(a) ~~Class A.~~ Class A official lamp adjusting stations shall be equipped to test, inspect, adjust, and repair all lamps and related electrical systems on all vehicles.

(b) ~~Class BL.~~ Class BL limited (~~BL-limited~~) official lamp adjusting stations shall be equipped to adjust all lamps with aiming pads on all passenger vehicles and commercial vehicles 80 inches or less in width. ~~Such~~ These stations shall be equipped to test, inspect, and repair all lamps and related electrical systems on all vehicles except motorcycles and motor-driven cycles.

NOTE: Authority cited: Sections 9882, 9887.1 and 9888.2, Business and Professions Code. Reference: Sections 9887.1, 9887.2, 9887.3 and 9888.2, Business and Professions Code.

8. Section 3316 is amended to read as follows:

§ 3316. Lamp Adjusting Station Operation and Equipment Requirements.

The operation of official lamp adjusting stations shall be subject to the following provisions:

~~(a) Aiming Equipment and Tools.~~—Class A official lamp adjusting stations shall provide an aiming screen or an optical type headlamp_aiming machine. Class A stations may provide, in addition, a mechanical type headlamp aiming machine and related calibration equipment. A Class BL station that limits its lamp aiming to lamps with aiming pads shall provide a mechanical type headlamp aiming machine and related calibration equipment.

Each official lamp adjusting station shall be equipped with a voltmeter and other tools necessary for proper lamp servicing.

~~(b) Use of Aiming Equipment.~~—Equipment for aiming headlamps and auxiliary lamps shall be approved by the bureau. Aiming equipment shall be used only in the work area prescribed ~~by~~ in subsection (b) of Section 3305(b) of this chapter, and as follows:

(1) Aiming screens may be used for all headlamps and auxiliary lamps. Provision shall be made so that the screen can be shaded sufficiently from both direct and ambient light during daylight hours to perform aiming functions adequately.

(2) Optical type headlamp aiming machines may be used for all headlamps and auxiliary lamps.

(3) Mechanical type headlamp aiming machines shall be used only for lamps manufactured with three aiming pads on the lens.

~~(c) Maintenance of Handbooks and Bulletins.~~—Each official lamp adjusting station shall maintain in a location readily accessible to licensed adjusters a current copy of the following:

(1) ~~The Bureau of Automotive Repair Handbook for Official Lamp Adjusting Stations and bulletins supplemental thereto~~ bureau's Handbook for Lamp Adjusters and Stations, referenced in subsection (a) of Section 3305 of this Chapter.

(2) All appropriate and current lamp adjustment standards, specifications, directives, manuals, bulletins and instructions issued by motor vehicle and lamp manufacturers that are applicable to vehicles for which the station adjusts lamps ~~are adjusted by the station.~~

(3) Service manuals and operating instructions issued by the manufacturers for all headlamp aiming ~~machines and instruments,~~ machines, devices and equipment used by the station.

~~(d) Lamp Adjustment Certificate.~~—Effective April 1, 1999, licensed stations shall purchase certificates of adjustment from the bureau for a fee of three dollars and fifty cents (\$3.50) each and shall not purchase or otherwise obtain such certificates from any other

source. Full payment is required at the time certificates are ordered. Certificates are not exchangeable following delivery. A licensed station shall not sell or otherwise transfer unused certificates of adjustment. Issuance of a lamp adjustment certificate shall be in accordance with the following provisions:

(1) ~~Emergency Vehicle Permits.~~—When a lamp adjustment certificate is issued to an applicant for an authorized emergency vehicle permit, the certificate shall certify that the vehicle has been inspected, that all lamps and related electrical systems meet all requirements of the Vehicle Code and bureau regulations, and that all lamps capable of adjustment are properly adjusted.

(2) ~~Inspection of the Entire Lighting System.~~—Where all of the lamps, lighting equipment, and related electrical systems on a vehicle have been inspected and found to be in compliance with all requirements of the Vehicle Code and bureau regulations, the certificate shall certify that the entire system meets all such of those requirements.

(3) ~~Inspection of a Portion of the Lighting System.~~—When a customer asks for a certificate of lamp adjustment in conjunction with clearance of an enforcement form, the adjuster may, if requested, inspect and certify only the portion of the lighting system specified as defective on the enforcement form. Where the entire system has not been tested or inspected or one or more defects have been corrected, the certificate shall indicate which tests or inspections have been performed, or which defect or defects have been corrected.

(4) ~~Validity period of Certificates.~~—A certificate shall be valid for 90 days after its issuance to a consumer.

(e) ~~Clearance of Enforcement Forms.~~—After correcting specified defects, official lamp adjusters shall certify that defects indicated on citations or other enforcement forms have been corrected.

(1) ~~Finding of Other Defective Conditions.~~—The adjuster shall inform the customer of any other defective conditions present or likely to occur in the future, which have come to the adjuster's attention in conjunction with inspection of the vehicle and correction of specified defects.

(2) ~~Failure of Customer to Authorize Additional Lighting System Repairs.~~—If the customer does not authorize additional repairs to correct other defects found during the inspection, the adjuster shall certify that only the specific defects listed on the enforcement

form have been corrected.

(3) ~~Signature of Adjuster on Enforcement Form.~~ Only a licensed adjuster employed at an official adjusting station may sign an enforcement form as an official adjuster. The adjuster's license number, class, and official station number shall be included with the signature.

(4) ~~Certifying on the Enforcement Form.~~ Certification by a licensed adjuster on an enforcement form that a violation has been corrected shall include the date of correction, the station's and the adjuster's license numbers, and the adjuster's signature.

NOTE: Authority cited: Sections 9882, 9887.1 and 9888.2, Business and Professions Code. Reference: Sections 9887.1, 9888.2, 9889.16 and 9889.19, Business and Professions Code; and Section 40616, Vehicle Code.

Article 4. Official Brake Adjusting Stations

9. *Section 3320 is amended to read as follows:*

§ 3320. Classes of Official Brake Adjusting Stations.

Classes of official brake adjusting stations are established as follows:

(a) ~~Class A.~~ Class A official brake adjusting stations shall be equipped to test, inspect, adjust, and repair all brakes and brake systems on all vehicles.

(b) ~~Class B.~~ Class B official brake adjusting stations shall be equipped to test, inspect, adjust, and repair all brakes and brake systems on all buses, trucks, truck tractors, trailers, and semitrailers.

(c) ~~Class C.~~ Class C official brake adjusting stations shall be equipped to test, inspect, adjust, and repair all brakes and brake systems on all trucks or truck tractors having a manufacturer's gross vehicle weight rating of less than 10,000 pounds, all trailers and semitrailers that do not use compressed air or vacuum to actuate the brakes, and all passenger vehicles including motorcycles and motor-driven cycles.

NOTE: Authority cited: Sections 9882, 9887.1 and 9888.2, Business and Professions Code. Reference: Sections 9887.1, 9887.3 and 9888.2, Business and Professions Code.

10. *Section 3321 is amended to read as follows:*

§ 3321. Brake Adjusting Station Operation and Equipment Requirements.

The operation of official brake adjusting stations shall be subject to the following provisions:

(a) ~~Tools.~~—Each station shall be equipped with the following tools according to the class of station.

(1) ~~Class A, B, and C Stations.~~—All stations shall be equipped with:

(A) Suitable hand tools.

(B) A brake drum diameter gauge capable of measuring increments of 0.005 inch.

(C) A disc brake rotor thickness gauge capable of measuring increments of 0.001 inch.

(D) A disc brake rotor runout gauge capable of measuring increments of 0.001 inch.

(E) Brake lining gauges capable of measuring thickness of remaining usable brake lining either in fractions of an inch or in percentage of lining remaining.

(F) Torque wrenches capable of measuring torsion in accordance with vehicle manufacturer's installation and adjustment specifications.

(2) ~~Class A and B Stations.~~—Class A and B stations shall be equipped with:

(A) A vacuum brake test kit with a gauge capable of measuring in inches of mercury.

(B) An airbrake pressure test gauge accurate to +1 psi.

(b) ~~Maintenance of Handbooks and Bulletins.~~—Each station shall maintain in a location readily accessible to its licensed ~~installers~~ adjusters a current copy of the following:

(1) The ~~Bureau of Automotive Repair Handbook for Official Brake Adjusting Stations~~ bureau's *Handbook for Brake Adjusters and Stations*, referenced in subsection (a) of Section 3305 of this Chapter.

(2) All appropriate and current standards, specifications, directives, manuals, bulletins, and instructions issued by the bureau and by the manufacturers of motor vehicles, brakes, and brake equipment manufacturers that are applicable to vehicles for which the station adjusts brakes.

(3) Service manuals and operating instructions issued by the manufacturers for all brake inspection tools, instruments, machines, devices and equipment used by the station.

(c) ~~Brake Adjustment Certificate.~~—Effective April 1, 1999, licensed stations shall purchase certificates of adjustment from the bureau for a fee of three dollars and fifty cents (\$3.50) and shall not purchase or otherwise obtain such certificates from any other source. A licensed station shall not sell or otherwise transfer unused certificates of adjustment. Full payment is required at the time certificates are ordered. Certificates are not exchangeable following delivery. Issuance of a brake adjustment certificate shall be in accordance with the

following provisions:

(1) ~~Emergency Vehicle Permits.~~—When a brake adjustment certificate is issued to an applicant for an authorized emergency vehicle permit, the certificate shall certify that the vehicle has been road-tested and that the entire braking system meets all requirements of the Vehicle Code and ~~the departmental~~ bureau regulations.

(2) ~~Inspection of the Entire Brake System.~~—Where the entire brake system on any vehicle has been inspected or tested and found to be in compliance with all requirements of the Vehicle Code and bureau regulations, and the vehicle has been road-tested, the certificate shall certify that the entire system meets all such requirements.

(3) ~~Inspection of a Portion of the Brake System.~~—When a customer asks for a certificate of brake adjustment in conjunction with clearance of an enforcement form, the adjuster may, if requested, inspect and certify only the portion of the brake system specified as defective on the enforcement form. Where the entire system has not been tested or inspected or one or more defects have been corrected, the certificate shall indicate which tests or inspections have been performed, or which defect or defects have been corrected.

(4) ~~Validity period of Certificates.~~—A certificate shall be valid for 90 days after its issuance to a consumer.

(d) ~~Clearance of Enforcement Forms.~~—After correcting specified defects, official brake adjusters shall certify that defects indicated on citations or other enforcement forms have been corrected.

(1) ~~Finding of Other Defective Conditions.~~—The adjuster shall inform the customer of any other defective conditions present or likely to occur in the future, which have come to the adjuster's attention in conjunction with inspection of the vehicle and correction of specified defects. The adjuster shall inform the customer of the percentage of braking material left on pads/shoes, as appropriate.

(2) ~~Failure of Customer To Authorize Additional Brake Repairs.~~—If the customer does not authorize additional repairs to correct other defects found during the inspection, the adjuster shall certify that only the specific defects listed on the enforcement form have been corrected.

(3) ~~Signature of Adjuster on Enforcement Form.~~—Only a licensed adjuster employed at an official adjusting station may sign an enforcement form as an official adjuster. The adjuster's

license number, the license class, and the official station license number shall be included with the signature.

(4) ~~Certifying on the Enforcement Form.~~ Certification by a licensed adjuster on an enforcement form that a violation has been corrected shall include the date of correction, the station's and the adjuster's license numbers, and the adjuster's signature.

NOTE: Authority cited: Sections 9882, 9887.1 and 9888.2, Business and Professions Code. Reference: Sections 9887.1, 9888.2 and 9889.16, Business and Professions Code; and Section 40616, Vehicle Code.

/s/

SHERRY MEHL, Chief
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